PROB 12B (7/93) Report Date: January 9, 2007

United States District Court

for the

Eastern District of Washington

FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

JAN 10 2007

JAMES R. LARSEN, CLERK DEPUT

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Lemuel Fezell Jackson

Case Number: 2:92CR00298-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge

Date of Original Sentence: 04/29/1993

Type of Supervision: Term of Supervised Release

Original Offense: Possession With Intent to

Date Supervision Commenced: 12/15/2006

Distribute Cocaine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 188 Months; TSR - 60

Months

Date Supervision Expires: 12/14/2011

PETITIONING THE COURT

To modify the conditions of supervision as follows:

You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeal's finding in <u>United States v. Stevens</u> (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug and/or alcohol tests per month.

The offender signed the attached Waiver of Hearing to Modify Conditions of Supervised Release on December 19, 2006. He understands the rationale behind this modification.

Respectfully submitted,

by

Brenda J. Kuest

U.S. Probation Officer

Date: January 9, 2007

Prob 12B

Re: Jackson, Lemuel Fezell January 9, 2007

Page 2

THE COURT ORDERS

[]	No Action
[]	The Extension of Supervision as Noted Above
J FVS X	The Modification of Conditions as Noted Above
	Other

FredVan Crelle Signature of Judicial Officer January 9, 2007

Date